

Order

Michigan Supreme Court
Lansing, Michigan

March 23, 2012

142842 & (53)(66)

KENNETH ADMIRE,
Plaintiff-Appellee/Cross-Appellant,

v

AUTO-OWNERS INSURANCE COMPANY,
Defendant-Appellant/Cross-Appellee.

Robert P. Young, Jr.,
Chief Justice

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

SC: 142842
COA: 289080
Ingham CC: 07-001752-NF

On March 7, 2012, the Court heard oral argument on the application for leave to appeal the February 15, 2011 judgment of the Court of Appeals. On order of the Court, the motion to strike portions of the plaintiff's briefs and exhibits is DENIED. The application is again considered, and it is GRANTED. The parties shall include among the issues to be briefed: (1) whether MCL 500.3107(1)(a) allows the plaintiff to recover the full cost of handicap-accessible transportation or whether the plaintiff's recovery is offset to the extent that the handicap-accessible transportation replaces the plaintiff's other transportation costs; (2) if the plaintiff's recovery is offset, what procedure a factfinder must undertake in calculating the amount of the plaintiff's recovery and what evidence is relevant to that calculation; (3) whether there is any basis in MCL 500.3107(1)(a) to treat transportation costs differently from other household expenses, such as food or housing, that every person incurs whether injured or not; and (4) whether the principles and standards articulated in *Griffith v State Farm Mutual Automobile Ins*, 472 Mich 521 (2005), are sufficient to resolve this dispute.

We invite the continued participation of all amici who have previously appeared in this case. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 23, 2012

Corbin R. Davis

Clerk